

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Diana Yanakiev

Group Art Unit: 3661

Examiner: Christine M. Behncke

Serial No.: 10/708,361

Filed: February 26, 2004

For: **VEHICLE AND NONLINEAR CONTROL METHOD FOR
VEHICLE**

Attorney Docket No.: 81079897 / FMC 1644 PUS

RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Amendment
Commissioner for Patents
U.S. Patent & Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is a response to the Restriction Requirement of 9 April 2007. Applicant elects with traverse to prosecute Group I, comprising claims 1-13 and 22-26, drawn to a vehicle and a method for controlling a vehicle using a nonlinear error-based control.

Applicant respectfully disagrees with the Examiner's classification of Group I and Group II as combination and subcombination. The Examiner states that the claims of Group I are "drawn to a vehicle and method of controlling a vehicle using a nonlinear error-based control, comprising a first error, determining the difference between a first target value and the first error to produce a first vehicle request...." First, Applicant notes that this characterization of the claims of Group I is not correct. For example, claim 1 does recite determining a first vehicle request, but it is not defined in claim 1, or any of its dependent claims, as a "difference between a first target value and the first error," as stated by the Examiner. Similarly, claim 22 recites a controller configured to determine a vehicle request, but neither claim 22, nor any of its dependent claims, defines the vehicle request as "the difference between a first target value and the first error".

Next, Applicant points to a comparison of the elements of the claims of Group I and the claims of Group II. For example, claim 1 (from Group I) and claim 14 (from Group II) are each directed to: "[a] method for controlling a vehicle using nonlinear error-based control." Each recites the step of determining a current value of a (first) vehicle parameter, and each recites the step of determining a first error, where the first error is a difference between a (first) target value of the (first vehicle) parameter and the current value of the (first) vehicle parameter. Finally, claim 1 recites: "determining a first vehicle request, the first vehicle request being a nonlinear function of the first error," and claim 14 recites: "applying a first gain to the first error, thereby producing a first vehicle request, the first gain being a function of the absolute value of the first error." Therefore, Applicant submits that claims 1 and 14, which are representative of the claims within Groups I and II, respectively, are not related as combination and subcombination. Accordingly, examination of claims 14-21 is requested.

Please charge any fees or credit any overpayments as a result of the filing of this paper to Ford Global Technologies, LLC Deposit Account No.06-1510.

Respectfully submitted,

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